



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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Dirk Kempthorne, Governor
C. Stephen Allred, Director

December 15, 2003

Ms. Elizabeth Sellers, Manager
U.S. Department of Energy
Idaho Operations Office
1955 Fremont Ave
Idaho Falls, Idaho 83401-1216

I understand representatives from EPA, DOE-ID, and the State of Idaho reached agreement at a meeting on December 9 regarding the tracking of I-129 contaminated soils to be disposed in the Idaho CERCLA Disposal Facility (ICDF).

This agreement involves the following:

- Based upon process knowledge and existing analytical data, the agencies will determine whether I-129 contamination is expected to be present at a Group 3 site to be disposed in the ICDF landfill.
- If I-129 is not expected to be present and none has been detected in sampling to date, then that site will be removed from the list of potentially I-129 contaminated sites. Additional characterization for I-129 will not be required, and the mass of I-129 attributed to these sites will be zero.
- The number of samples required for ICDF disposal will be based on the ICDF waste verification approach using the existing concentration guideline of 3.1 pCi/g. (Currently, CPP-67 and CPP-36/91 are the two sites known to have I-129 contamination.)
- For samples having non-detect concentrations at potentially I-129 contaminated sites, DOE will use $\frac{1}{2}$ of the detection limit to determine the number of samples to collect for verification and acceptance in the ICDF landfill. (The current detection limit is approximately 1 pCi/g.)
- DOE will perform ICDF waste verification sampling as the trucks are being loaded. Waste can be disposed in the landfill prior to receipt of the analytical results.

I consider this agreement to resolve my concerns with the specific Waste Acceptance Criterion (WAC) for I-129. With the understanding this agreement is being incorporated into the relevant Remedial Design/Remedial Action Workplan, and other applicable documents as required, I hereby accept the WAC for I-129, which completes DEQ's approval of all Waste Acceptance Criteria for the ICDF.

Sincerely,

C. Stephen Allred
Director

CSA:ra

c: Michael Gearheard, U.S. EPA Region 10